

TEXAS STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS



EXECUTIVE DIRECTOR
Darrel D. Spinks

MEMBERS OF THE BOARD

Tim F. Branaman, Ph.D., Chair
Dallas

Ronald S. Palomares, Ph.D., Vice Chair
Denton

Herman B. Adler, M.A.
Houston

John K. Bielamowicz
Waxahachie

Ryan T. Bridges
Houston

Angela A. Downes, J.D.
Dallas

Susan Fletcher, Ph.D.
Dallas

Lou Ann Todd Mock, Ph.D.
Dallas

Andoni Zagouris, M.A.
McAllen

Texas State Board of Examiners of Psychologists

MINUTES

February 13, 2020

The Texas State Board of Examiners of Psychologists met in Austin, Texas on February 13, 2020. The following Board members were in attendance: Tim Branaman, Ph.D., Chair; Herman Adler, M.A.; John Bielamowicz; Ryan Bridges; Angela Downes, J.D.; Susan Fletcher, Ph.D.; Lou Ann Todd Mock, Ph.D., Vice-Chair; Ronald Palomares, Ph.D. and Andoni Zagouris, M.A. Also, in attendance were Darrel Spinks, Executive Director. Also in attendance were: Chris Smith, Governor's Office.

Thursday, February 13, 2020

1. The meeting was called to order at 9:00 a.m. by Dr. Branaman.
2. The Board moved into Item II, Public Comments:
 - A. Tara Coronado - spoke regarding procedural issues.
 - B. Dan Roberts, Ph.D. - spoke regarding neuropsychology qualifications.
 - C. Carol Grothues, Ph.D. - spoke regarding competency and EPPP2 examination.
 - D. Alyssa Karsagi - spoke regarding child custody evaluators.
 - E. Rhonda Finney - spoke regarding psychologists involvement in family law matters.

333 Guadalupe, Suite 2-450, Austin, Texas 78701
(Administration) 512-305-7700 (Enforcement) 512-305-7709 (TDD) 1-800-735-2989
(Fax) 512-305-7701 <http://www.tsbep.texas.gov>

The Texas State Board of Examiners of Psychologists is an equal opportunity employer and does not discriminate on the basis of race, color, religion, national origin, age, sex, disability, or sexual orientation.

3. The Board moved into Item III, Meeting Minutes and Certified Agenda.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MR. ZAGOURIS TO APPROVE THE MINUTES OF THE NOVEMBER 14, 2019 BOARD MEETING WITH CHANGES. THE VOTE WAS APPROVED UNANIMOUSLY.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MR. ADLER TO APPROVE THE CERTIFIED AGENDA OF THE NOVEMBER 14, 2019 BOARD MEETING. THE VOTE WAS APPROVED UNANIMOUSLY.

4. The Board moved into Item IV, Chair's Report - Dr. Branaman.

A. ASPPB Update:

- i. Dr. Branaman stated that the ASPPB annual meeting of delegates would be held in New York City on October 14-18, 2020. Mr. Adler volunteered to attend this meeting.
- ii. The Board reviewed the Annual meeting summary.
- iii. Dr. Branaman stated that the Board received a letter from ASPPB stating that the EPPP2 launch would be pushed back until November 2020.

B. Update regarding PsyPact:

- i. Mr. Hyde stated that the PsyPact Commission discussed the ASPPB E.Passport and IPC education requirements during a teleconference, and many were in favor of requiring applicants to graduate from APA accredited programs.

C. Update regarding Texas Behavioral Health Executive Council Operations:

- i. Mr. Spinks updated the Board regarding Council actions/future actions
 - a. The Council will be proposing rules at the March 2, 2020 Council meeting;
 - b. Mr. Spinks and Ms. Noack were working on the database transition;
 - c. The Council had hired Mr. Spinks as the Executive Director effective March 1, 2020 and he would then

begin the process of hiring the managerial level positions; and

- d. Facility Commission will be moving staff sometime this summer. Staff will remain in the William Hobby building, but in tower 3, 9th floor.

D. The Board reviewed the committee assignments, which will remain the same until the first Board meeting on even numbered years.

E. The Board discussed election of Vice-Chair.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY DR. FLETCHER TO ELECT DR. PALOMARES AS THE NEW VICE CHAIR. THE MOTION WAS APPROVED UNANIMOUS.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY DR. FLETCHER TO ELECT A BOARD VICE CHAIR AT THE FIRST BOARD MEETING ON EVEN NUMBERED YEARS. THE MOTION WAS APPROVED UNANIMOUSLY.

F. The Board reviewed the letter from Erin Bennett, Director, Regulatory Compliance Division, Office of the Governor.

G. The Board discussed EPPP2 and the concerns that some universities and associations had with the validity of the examination.

A MOTION WAS MADE BY DR. FLETCHER AND SECONDED BY DR. MOCK TO TABLE DISCUSSION REGARDING THE EPPP2 UNTIL THE MAY BOARD MEETING. THE VOTE WAS APPROVED UNANIMOUSLY.

H. The Board reviewed the proposed guidelines regarding competency in clinical neuropsychology.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MR. BRIDGES TO APPROVE THE GUIDELINES. THE VOTE WAS APPROVED UNANIMOUSLY.

The Board recessed for a break at 10:45 a.m.

The Board reconvened from a break at 10:57 a.m.

5. The Board moved into Item V, the Executive Director's Report - Mr. Spinks

A. Mr. Board reviewed the procurement and contract management guide.

B. Budget Update:

- i. Mr. Spinks reviewed the 1st Qtr. Performance Measures for FY 2020.
- ii. Mr. Spinks stated that the agency has hired a staff attorney, John Bridges and he would be starting February 18, 2020.
- iii. Mr. Spinks reviewed the Year-to-Date Financial report.
- iv. Mr. Spinks reviewed the FY 2020 Operating Budget.
- C. Mr. Spinks stated that after reviewing the law and speaking with the General Counsel and Sarah Wolfe, Assistant Attorney General, the Board would no longer be issuing opinion letters.
- D. Mr. Spinks discussed the simplification of online renewal process and questions.
- E. Dr. Palomares stated that the Professional Development advisory committee were looking at professional development hours for ethics and cultural diversity and would bring the committee's recommendations to the May 2020 Board meeting.

B. Newsletter(s):

- i. February 2020 Newsletter and I Got 5! Give Back Initiative.

A MOTION WAS MADE BY DR. FLETCHER AND SECONDED BY DR. MOCK TO APPROVE THE NEWSLETTER. THE VOTE WAS APPROVED UNANIMOUSLY.

6. The Board moved into Item VI, Rules - Dr. Branaman and Dr. Palomares.

A. The Board reviewed the Proposed Rules:

- i. Rule revisions for Chapters 463 and 465 and repealed rules were reviewed by the Board, but no action was taken.

7. The Board moved into Item VII, Enforcement Matters and Report from General Counsel.

A. Mr. Fernandez presented the cases dismissed by Executive Director:

- i. 2018-00128-1520;
- ii. 2019-00016-8809;

iii. 2019-00015-816;
iv. 2019-00105-664;
v. 2918-00072-416;
vi. 2020-0009-7580;
vii. 2020-00010-15036;
viii.2019-00068-7194;
ix. 2020-00012-13655;
x. 2020-00011-9589;
xi. 2020-00037-15122;
xii. 2020-00048-13959;
xiii.2020-00006-4861;
xiv. 2020-00005-13268;
xv. 2020-00045-14924;
xvi. 2020-00002-4767;
xvii.2020-000170133;
xviii.2018-00077-248;
xix. 2019-00109-9441;
xx. 2018-00085-6514;
xxi. 2018-00078-6866;
xxii.2018-00087-9030;
xxiii.2020-00024;
xxiv.2019-00106;
xxv. 2019-00004-4823;
xxvi.2018-00093-12611;

xxvii.2018-00067-5673;

xxviii.2018-00092-4995;

xxix.2018-00094-8109;

xxx. 2019-00054

xxxi.2019-00018-6274; and

xxxii.2018-00090-5435

B. Mr. Fernandez presented the dismissal recommendation for Board ratification:

i. 2020-00013-15136

A MOTION WAS MADE BY MS. DOWNES AND SECONDED BY MR. BIELAMOWICZ TO APPROVE THE DISMISSAL. THE VOTE CARRIED WITH MR. ADLER, MR. BRIDGES, DR. FLETCHER, DR. MOCK AND MR. ZAGOURIS RECUSED FROM VOTING.

C. Mr. Fernandez reviewed the Status Report.

D. Mr. Fernandez discussed the Projected Time Schedule.

E. May 2020 ISC attendees will be Dr. Fletcher, Mr. Bielamowicz and Mr. Zagouris.

F. August 2020 ISC attendees will be Dr. Palomares, Mr. Adler and Mr. Bridges.

G. November 2020 ISC attendees will be Dr. Mock, Mr. Zagouris and Mr. Bielamowicz.

H. February 2021 ISC attendees will be Dr. Fletcher, Mr. Zagouris and Ms. Downes or Mr. Bridges.

I. Mr. Hyde presented the Resignation Order approved by the Executive Director:

i. The Board reviewed Agreed Order No. 202-00049-14379, in the matter of David Dubin, Ph.D.

J. Mr. Hyde presented the Agreed Orders for the Board's approval:

- i. The Board reviewed Agreed Order No. 2020-00026-15797, in the matter of Lionel Chudzik, Ph.D.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MS. DOWNES TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH DR. PALOMARES AND MR. ZAGOURIS RECUSED FROM VOTING.

- ii. The Board reviewed Agreed Order No. 2018-00042-7287, in the matter of Katherine S. Donaldson, Psy.D.

A MOTION WAS MADE BY DR. PALOMARES AND SECONDED BY DR. FLETCHER TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH DR. MOCK, MR. BRIDGES AND MR. ZAGOURIS RECUSED FROM VOTING.

- iii. The Board reviewed Agreed Order No. 2018-00064-814, in the matter of Jerry Richard Grammer, Ph.D.

A MOTION WAS MADE BY MS. DOWNES AND SECONDED BY DR. PALOMARES TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH DR. MOCK, MR. ZAGOURIS AND MR. BRIDGES RECUSED FROM VOTING.

- iv. The Board reviewed Agreed Order No. 2019-00035-8932, in the matter of Nicole R. Grandjean, Ph.D.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MR. BIELAMOWICZ TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH DR. PALOMARES, MR. ADLER AND MR. BRIDGES RECUSED FROM VOTING.

- v. The Board reviewed Agreed Order No. 2019-00055-4623, in the matter of Ashley Nicole Bonner, M.A.

A MOTION WAS MADE BY DR. MOCK AND SECONDED BY MS. DOWNES TO APPROVE THE AGREED ORDER. THE VOTE CARRIED WITH DR. FLETCHER, MR. ADLER AND MR. BRIDGES RECUSED FROM VOTING.

8. The Board moved into Item VIII, Compliance - Dr. Mock and Mr. Adler - no items to discuss.
9. The Board moved into Item IX, Jurisprudence Examination Committee - Dr. Fletcher and Ms. Downes.
 - A. The Board discussed allowing individuals to take the jurisprudence examination before applying for licensure.
 - B. The Board discussed changing the jurisprudence examination to a no-fail examination but declined to do so.

10. The Board moved into Item XI, Personnel Committee - Mr. Bridges.
 - A. The Board reviewed the Executive Directors evaluation. The Board members were very satisfied with Mr. Spinks performance.
 - B. The Board discussed the job description and hiring process for the new Executive Director position for remainder of FY 2020.
11. The Board moved into Item VII, Executive Session pursuant to Tex. Gov't Code Ann. §551.071 at 12:47 p.m.
12. The Board returned from Executive Session at 1:40 p.m.
13. The Board accepted Mr. Spinks resignation letter effective February 29, 2020.
 - A. The Board discussed forming a hiring committee for the Executive Directors position. The position would be part-time and would terminate on August 31, 2020.
- A MOTION WAS MADE BY MR. BIELAMOWICZ AND SECONDED BY DR. FLETCHER TO ESTABLISH A HIRING COMMITTEE WHICH WOULD CONSIST OF DR. BRANAMAN, MR. ADLER, MR. BRIDGES AND DR. MOCK. THE VOTE WAS APPROVED UNANIMOUSLY.
14. The Board moved into Item XII, Future Issues and Other Requested Agenda Items.
 - A. Legislative Issues - SB 11, and HB 12 effective September 1, 2020.
 - B. Mr. Creath discussed temporary license applicants not being able to locate someone to sponsor them. Dr. Fletcher stated she would follow up on this matter.
15. The meeting was adjourned at 1:58 p.m. by Dr. Branaman.